

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

APPLETON PAPERS INC. and NCR CORP.,

Plaintiffs,

v.

Case No. 08-C-16

GEORGE A. WHITING PAPER CO., et al.,

Defendants.

ORDER

Defendant the City of Appleton moved for summary judgment on the basis of a tolling and standstill agreement it had reached with Plaintiffs. (Dkt. # 564.) Plaintiffs have opposed the motion. This Court's decision dismissing claims against the Defendants, including the City of Appleton, disposed of the underlying claims that are the basis of the City's motion for summary judgment. I am aware that the City has asked that I nevertheless issue a ruling on its motion, but because the claims have been dismissed I need not reach the alternative basis for relief asserted by the City. Accordingly, the motion [564] is **DENIED** without prejudice because the dispute is moot.

SO ORDERED this 30th day of March, 2010.

s/ William C. Griesbach
William C. Griesbach
United States District Judge